

## COMMITTEE REPORT

**Committee:** West/Centre Area                      **Ward:** Guildhall  
**Date:** 1 April 2008                                      **Parish:** Guildhall Planning Panel

**Reference:** 08/00271/LBC  
**Application at:** Waggon And Horses 19 Lawrence Street York YO10 3BP  
**For:** Internal and external alterations including one and two storey rear extensions, provision of 7no. bed and breakfast bedrooms to first floor and flat roof dormer to front elevation.  
**By:** George Bateman And Son Ltd  
**Application Type:** Listed Building Consent  
**Target Date:** 11 April 2008

### 1.0 PROPOSAL

1.1 The application relates to the Waggon and Horses Public House situated on Lawrence Street. The property is a Grade II Listed Building, dating from 1773. The original dwelling house at no. 17 Lawrence Street and the Public House at no. 19 form part of the Listed Building. To the rear of the property is a courtyard, accessed via an archway from Lawrence Street. The courtyard is partly laid out for parking and part grassed. The grassed area forms the beer garden. The courtyard of the property is bounded by a red brick wall and by the rear of the buildings on Leake Street.

1.2 The property falls within the Central Historic Core Conservation Area no. 1.

1.3 This application is for listed building consent and proposes internal and external alterations to the listed building, including the demolition of a small, modern, flat roofed, C20th toilet block.

1.4 Externally the alterations include the erection of a two storey pitched roof extension to the rear of the property, on the site of the demolished toilet block. A single storey extension to the rear, with a lean to roof and a flat roof dormer to the front elevation to replicate the existing flat roofed dormer.

1.5 Internally the works involve alterations to facilitate the refurbishment of the ground floor Public House, the creation of 7 no. guest bedrooms (to be operated in conjunction with the Public House) on the first floor and manager's accommodation to the second floor.

1.6 A Design and Access Statement has been submitted with the application and revised plans were submitted on 11th March 2008 providing further details of proposed internal work, confirming the retention of existing features.

#### Relevant Planning History:

1.7 It is noted that the applicant has commenced works on site prior to obtaining either planning permission or listed building consent, see Key Issue A). An

Enforcement file has been opened ref (08/00026/LBUILD) and the applicants have been advised that works are undertaken at their own risk. A number of complaints have been received by the public in respect of these unauthorised works.

1.8 A full planning application ref (08/00272/FUL) has been submitted in conjunction with this application. This application seeks consent for the erection of a single storey and a two storey extension to the rear of the public house, a flat roofed dormer to the front elevation and seeks to establish 7no. guest rooms to be operated in conjunction with the Public House.

## **2.0 POLICY CONTEXT**

### 2.1 Development Plan Allocation:

Areas of Archaeological Interest City Centre Area 0006

Conservation Area Central Historic Core 0038

Contaminated Land

City Boundary York City Boundary 0001

DC Area Teams Central Area 0002

Floodzone 2 Flood Zone 2 CONF

Listed Buildings Grade 2; Waggon And Horses 17- 19 Lawrence St 0037

### 2.2 Policies:

CYHE4

Listed Buildings

## **3.0 CONSULTATIONS**

### EXTERNAL:

3.1 The residents of number 17 Lawrence Street have responded to state that works have commenced prior to listed building consent being issued. Full details of their concerns are reported on the associated planning application (08/00272/FUL).

### INTERNAL:

3.2 Conservation and Sustainable Development: Respond to state that this property is a Grade II Listed Building situated in Central Historic Core Conservation Area no.1. The Waggon and Horses Public House dates from 1773 with early nineteenth century additions and late nineteenth century alterations. They confirm that the proposals have been the subject of pre-application discussions on site on 23 January 2008. Further information was requested by Conservation in respect of the internal works concerning the historic fabric of the building. This was supplied by the applicant on 11th March 2008.

3.3 Conservation and Sustainable Development note that a site visit on 10th March revealed that works have commenced. They raise no objections to the demolition of the flat roofed, C20th toilet block. They comment that the two storey addition to the rear is in keeping with the character of the listed building, as is the single storey addition. The natural clay pantile roofing material shown on site and proposed for the two extensions is acceptable and this should be conditioned. Large scale detail of external windows should be approved prior to insertion. The proposed dormer should match the existing and be consistent with original fenestration (i.e. sliding sash). The works show that 5 no. conservation area roof lights have been installed. And they are appropriate to the character of the listed building.

3.4 A number of conditions are required to ensure that important internal features which have not been shown on the application plans are retained, or that new features proposed would be acceptable. They are as follows:

- Details of new fire surrounds and combined hearth to pool area and front lounge to the ground floor.
- Design of rear door to two storey addition.
- Design of window to Bedroom 2.
- Design of all new internal doors (by submission or large scale drawing or photograph where to be reused).
- Details of fire coating methodology and specification to doors.

3.5 They state that these outstanding issues should be conditioned to preserve the special interest of the Listed Building.

## **4.0 APPRAISAL**

Policy:

4.1 Planning Policy Guidance Note 15 (PPG 15), Planning and the Historic Environment sets out the Government's position in terms of applications relating to the demolition and alterations to listed buildings. Para 3.8 of PPG 15, states that generally the best way of securing the upkeep of historic buildings is to keep them in active use and states that new or continuing uses will often require some degree of adaptation. Para 3.12, states that in judging the effect of any alteration or extension it is essential to have assessed the elements which make up the special interest of the building in question. They may not only include obvious visual features such as staircases, or plaster ceilings, but the layout of the building and spaces within it. Para 3.18, states that where proposed works would not result in the total or substantial

demolition of the listed building, or significant part of it, the Secretaries of State would expect the authority to address the same considerations as it would in relation to an application in respect of alterations or extensions.

4.2 Policy HE4 of the City of York Development Control Local Plan applies. Policy HE4 refers to Listed Buildings and states that consent will only be granted for the following types of development where there is no adverse effect on the character, appearance or setting of the listed building: development in the immediate vicinity of the listed building; demolition; internal or external alterations; change of use or the erection of satellite antenna.

## KEY ISSUES

### A) Consideration of Work Already Undertaken

4.3 Unfortunately it is noted that the majority of external works and some internal works have already been carried prior to listed building consent being determined and therefore part of the assessment of this application is in effect retrospective.

4.4 Government guidance contained within PPG 15: Planning and the Historic Environment confirms that Section 8 of the Act allows listed building consent to be sought where works have already been completed. However, the guidance states that the same procedures must be followed and that any application must be considered in terms of its merits, as if the works had not taken place and not as a fait accompli. The application has therefore been considered on this basis.

### B) Impact upon the Grade II Listed Building

4.5 The demolition of the C20th toilet block extension would not affect the special interest of the listed building. The two storey addition to the rear is generally in keeping with the character of the listed building, as is the single storey addition. The natural clay pantile roofing material shown on site and proposed for the two extensions is acceptable and this should be conditioned.

4.6 To preserve the historic interest of the listed building, large scale detail of windows should be approved prior to insertion and this would be conditioned. The proposed dormer to the front elevation should match the existing and be consistent with original fenestration (i.e. sliding sash) this would be conditioned. The works show that 5 no. conservation area roof lights have been installed and they are appropriate to the character of the listed building.

4.7 In terms of internal works, a schedule of the features of historic interest has been compiled by Conservation and Sustainable Development and those required to be retained indicated. The features to be retained include staircases; fireplaces; overlight glazing; cupboards and doors. The applicant has provided additional information (11th March 2008) to show retention of these items.

4.8 It is requested that the submission of further details of proposed new features and methodologies be submitted for approval. This would include details such as new fire surrounds and new external and internal doors. Provision of details with regard to the fire resistant coating to original doors is also required. This would be conditioned.

## **5.0 CONCLUSION**

5.1 It is regrettable that works have progressed on this Grade II Listed Building prior to consent being issued, however, in line with PPG15, the application is considered upon its own merits.

5.2 The proposed external works are generally acceptable in terms of design and materials used. Conditions would be required with regard to roof samples and window details to the rear two storey extension and front dormer to ensure that they would be appropriate. With respect to internal works, main features have been retained and a number of conditions are proposed to ensure details and proposed methodologies would be acceptable.

5.3 With the imposition of the conditions outlined it is considered that the scheme would not adversely affect the special architectural or historic interest of the Listed Building.

5.4 The proposal therefore satisfies Policy HE4 of the City of York Development Control Local Plan and national planning guidance PPG 15.

## **COMMITTEE TO VISIT**

**6.0 RECOMMENDATION:** Approve

1 PLANS1 Approved plans

2 Prior to installation, large scale drawings of all proposed new internal doors must be submitted to the Local Planning Authority and approved in writing.

Reason: To retain and protect the character of the Listed Building.

3 Prior to installation, detailed drawings of the proposed combined fire surround to the pool area and front lounge must be submitted to and approved in writing by the Local Planning Authority.

Reason: To retain and protect the character of the Listed Building.

4 Prior to implementation the specification and methodology of the Fire Resistant coating to the internal doors shall be submitted and approved in writing by

the Local Planning Authority.

Reason: To protect the character of the Listed Building.

## **7.0 INFORMATIVES:**

### **Notes to Applicant**

#### 1. Reason for Approval

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to impact upon the Waggon and Horses Grade II Listed Building. As such the proposal complies with policy HE4 of the City of York Development Control Local Plan 1995 and Planning Policy Guidance Note: PPG15.

### **Contact details:**

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